

UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Case No. **1:20-MJ-00676**

First Class parcel postal tracking number 9500 1124 7902 0248 6021 50,  
postmarked September 4, 2020, weighing 9.5 ounces, addressed to Cassandra  
Cruz, 1010 Willshire Blvd Apt 402, Los Angeles, CA 90017 with a return  
address of 44 Butler St, Ludlow, KY 41016

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

First Class parcel postal tracking number 9500 1124 7902 0248 6021 50

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance
	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector O'Neill

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*[Handwritten Signature]*

Applicant's signature

Karen L. O'Neill, U. S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence via electronic means, specifically Facetime video.

Date: **Sep 16, 2020**

*[Handwritten Signature]*

Judge's signature



City and state: Cincinnati, Ohio

Honorable Stephanie K. Bowman  
United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, KAREN O'NEILL, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since March 2003.

1. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for southwest Ohio, northern Kentucky, and southeast Indiana. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

2. Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Your affiant has also become aware that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the Mail was used, your affiant has learned of certain characteristics indicative of other Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, addressee is not known to receive mail at the listed delivery or sender address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

3. U.S. Postal Inspectors are aware that the State of California is a source location for controlled substances that are regularly mailed to the Commonwealth of Kentucky and the proceeds from the sales of controlled substances are frequently returned to California via the U.S. Mail. Based on this information, your affiant routinely reviews parcels and conducts postal database checks for inbound and outbound parcels that exhibit characteristics of parcels suspected of containing controlled substances and/or the proceeds from the sale of controlled substances.

4. On or about September 5, 2020, your affiant was notified that First Class parcel postal tracking number 9500 1124 7902 0248 6021 50 (PARCEL 1) addressed to 1010 Wilshire Blvd, Los Angeles, CA 90017 was mailed from Latonia, Kentucky. PARCEL 1 had already processed through a postal processing facility in Cincinnati, Ohio and was enroute to the office of delivery in Los Angeles, California.

5. On or about September 7, 2020, your affiant obtained an image of PARCEL 1. The parcel is addressed to Cassandra Cruz, 1010 Wilshire Blvd apt 402, Los Angeles, CA 90017 with a return address of 44 Butler St, Ludlow, KY 41016. The parcel has a legitimate return address but does not have a sender name. The addressee street name is misspelled; the correct spelling is "Wilshire". Your affiant knows that she has obtained 3 federal search warrants for parcels addressed to 1010 Wilshire Blvd Apt 402, Los Angeles, CA 90017; two of which were addressed to Cassandra Cruz. All of the aforementioned parcels were found to contain U.S. currency and were seized by the government.

6. Your affiant contacted the office of delivery regarding PARCEL 1 and requested to be contacted when the parcel arrived at their location.

7. On or about September 8, 2020, your affiant learned PARCEL 1 arrived at the delivery office. Your affiant requested PARCEL 1 be sent to her location for further investigation.

8. On or about September 11, 2020, your affiant learned that Priority Mail parcel postal tracking number 9505 5264 9471 0254 3630 06 (PARCEL 2) addressed to 310 N Lucerne Blvd, Los Angeles, CA 90004 was mailed from Cincinnati, Ohio. A check of postal business records showed a parcel addressed to "Cassandra Cruz" at 310 N Lucerne Blvd, Los Angeles, CA 90004 was delivered on September 5, 2020. That parcel had a legitimate business listed as the return address.

9. On or about September 12, 2020, your affiant contacted the office of delivery regarding PARCEL 2 and requested to be contacted when the parcel arrived at their location.

10. On or about September 13, 2020, your affiant obtained an image of PARCEL 2. The parcel is addressed to Dustin Tooty, 310 N Lucerne Blvd, Los Angeles, CA 90004 with a return address of Braiden Burnitt, 4098 Belfast Ave, Cincinnati, OH 45236.

11. Your affiant did a check in CLEAR regarding 310 N Lucerne Blvd, Los Angeles, CA 90004. CLEAR is a database that is used by law enforcement as a tool to identify person/business and address information. According to CLEAR, the name "Tooty" is not associated with 310 N Lucerne Blvd, Los Angeles, CA 90004.



12. Your affiant did a check in GOOGLE regarding 310 N Lucerne Blvd, Los Angeles, CA 90004. According to GOOGLE, a \$3.5 million dollar home is located at the address and is currently for sale.
13. Your affiant did a check in CLEAR regarding the return address on PARCEL 2. According to CLEAR, the name "Burnitt" is associated with 4098 Belfast Ave, Cincinnati, OH 45236.
14. On or about September 14, 2020, your affiant received PARCEL 1.
15. Your affiant learned PARCEL 2 arrived at the delivery office. Your affiant requested PARCEL 2 be sent to her location for further investigation.
16. On or about September 15, 2020, your affiant received PARCEL 2.
17. Your affiant did a check of postal business records and learned the same person or persons are checking PARCEL 1 and 2 via tracking number.
18. Cincinnati Police Department Specialist Mike Harper was contacted to arrange for a narcotic canine to check PARCEL 1 and 2. Specialist Harper responded to the Postal Inspection Service office, Cincinnati, Ohio where PARCEL 1 and 2 were placed in a separate controlled area and presented to narcotic canine, "Cairo". "Cairo" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon PARCEL 1 and 2. Your affiant knows that Specialist Harper and narcotic canine "Cairo" train regularly and are certified annually through the Ohio Peace Officer Training Academy. Your affiant has presented multiple parcels to Specialist Harper and canine "Cairo" which has resulted in successful seizures of a quantity of a narcotic or other dangerous controlled substance and their proceeds or instrumentalities therefore your affiant considers them to be reliable. Attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examination.
19. PARCEL 1 is further identified as follows: a U.S. Postal Service Ready Post Utility Mailer envelope 10 1/2" x 16" in size, bearing tracking number 9500 1124 7902 0248 6021 50, weighing 9.5 ounces, postmarked September 4, 2020; see address information below:

**Sender:** 44 Butler St  
Ludlow, KY 41016

**Addressee:** Cassandra Cruz  
1010 Willshire Blvd apt 402  
Los Angeles, CA 90017

20. PARCEL 2 is further identified as follows: a U.S. Postal Service Priority Mail Medium Flat Rate box approximately 12" x 3 1/2" x 12" in size, bearing tracking number 9505 5264 9471 0254 3630 06, weighing 2 pounds 9 ounces, postmarked September 11, 2020; see address information below:

**Sender:** Braiden Burnitt  
4098 Belfast Ave  
Cincinnati, OH 45236

**Addressee:** Dustin Tooty  
310 N Lucerne Blvd  
Los Angeles, CA 90004

21. This information along with the positive alert of narcotic canine "Cairo" is indicative of a drug package or its proceeds.

22. Based on the information contained herein, your affiant believes that contained in PARCEL 1 and 2 is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

23. PARCEL 1 and 2 are being secured at the USPS Field Office, Cincinnati, Ohio pending further investigation.

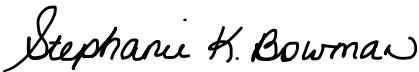
Therefore, a search warrant to open PARCEL 1 and 2 is requested.

Further, your affiant sayeth naught.



Karen O'Neill  
Postal Inspector

Subscribed and sworn to and before me this 16th day of September, 2020.  
**via electronic means, specifically Facetime video.**





Honorable Stephanie K. Bowman  
United States Magistrate Judge



United States Postal Inspection Service  
Pittsburgh Division

OFFICER AFFIDAVIT

I, M. Harper, am and have been employed by the Cincinnati Police Department since 2001. Among other duties, I am currently the assigned handler of narcotics detection canine "Cairo" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

marijuana, cocaine, methamphetamine and heroin

On 9-15-2020, at the request of Postal Inspector K. O'Neill, I responded to Cincinnati Postal Inspection Service office, where "Cairo" did alert to and indicate upon:

[describe item]

9500 1129 7902 0248 6021 50 Cassandra Cruz  
1010 Wilshire Blvd Apt 402 Los Angeles CA 90017  
return 44 Butler St Lowell MA 01804

which, based upon my training and experience and that of "Cairo", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 9-15-2020  
(Signature and Date)

[Signature] 9-15-2020  
(Signature and Date)